



**City Council  
Pre-Agenda Meeting  
June 13, 2006  
4:00 p.m.**

**The regularly scheduled Pre-Agenda Meeting of the Trinity City Council was held on Tuesday, June 13, 2006 at Trinity City Hall, 6701 NC Highway 62, Trinity, NC 27370.**

**MEMBERS PRESENT:** Mayor, Fran Andrews; Council members Karen Bridges, Barbara Ewings, Barry Lambeth, Bob Labonte (arrived at 4:08), Dwight Meredith, Edith Reddick, and Miles Talbert.

**MEMBERS ABSENT:** Phil Brown

**OTHERS PRESENT:** City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Planning/Zoning Code Enforcement Administrator, Adam Stumb; City Clerk/Finance Officer, Debbie Hinson; Davis-Martin-Powell Engineer Andy Larrick, and other interested parties.

**ITEM 1. Welcome**

Mayor Andrews called the June 13, 2006 Regular Pre-Agenda Meeting of the Trinity City Council to order at 4:00 pm and welcomed everyone present.

**ITEM II. Invocation**

The invocation was given by Council member Lambeth.

**III. Proposed items for the June 20, 2006 Regular Meeting of the Trinity City Council**

**Review and Approval of Minutes**

1. May 09, 2006 Pre-agenda Meeting
2. May 16, 2006 Regular City Council Meeting
3. May 30, 2006 Special Called Meeting

Mayor Andrews called for discussion and or motion to add these items to the June 20, 2006 Regular Council Agenda.

*Motion to add the above items to the June 20, 2006 Regular City Council Meeting by Council member Reddick, seconded by Council member Lambeth and approved unanimously by all Council members present.*

**Reports/Funding Request**

4. Proposal for Trinity law enforcement (Capt. Maynard Reid, Randolph County Sheriff's Dept.)

Mayor Andrews opened this item for discussion and or motion to add to the June 20, 2006 Regular City Council Meeting.

Manager Bailie advised Council that Captain Maynard Reid would be attending the Council meeting and discussing the proposal from Randolph County to provide law enforcement to the City of Trinity. Manager Bailie discussed earlier conversation held between her, Mayor Andrews and Captain Reid concerning whether this additional officer would affect the status of current law enforcement now provided in the City and advised Council that the County would not discontinue the service that the City has at this time, however Captain Reid plans to discuss this at the meeting.

Council members discussed the need for a report from the County that defined what the officer did during his time in the City and their fears that this might take away from the current protection offered to the City. There was further

discussion concerning the need for a contract and to define in the contract that a report be given illustrating the duties performed by the dedicated officer. After further discussion, Council members asked that Captain Reid provide information to the Council how much time the Sheriff department is currently spending inside the City, in addition to providing a contract that states the City will be provided a written report defining what duties the officer performed during the time he spends in Trinity.

Mayor Andrews advised Council that she had advised the Sheriff that we needed a list of the duties that the deputy would be responsible for as well as a report that indicated the high peak times for crimes that are committed in the City as well as the defined areas the crimes are committed in.

Council member Labonte discussed the need for better reporting from the City Attorney, City Engineers, and from the Sheriff's Department if this agreement is accepted. This will keep the Council better informed in order to answer questions from the public concerning items that we may be questioned on such as how much time the officer spent in Trinity and the duties performed during that time.

Manager Bailie suggested that Council proceed by allowing Captain Reid to come and talk with Council about the changes discussed tonight and address other questions that Council members may have at the Regular Meeting and develop the contract after the meeting and incorporate items discussed.

*At this time, Council member Bridges made a motion to add this item to the June 20, 2006 Agenda, seconded by Council member Labonte and approve unanimously by all Council members present.*

#### **5. Request for Funding from Friends of Trinity for Independence Day Celebration**

Mayor Andrews opened this item for discussion and or motion to add to the June 20, 2006 Regular City Council Meeting.

Ms. Hinson shared with Council the information that she had received from the Friends of Trinity regarding this request and advised Council that she would forward this along with her recommendation for this request in the packet that would be mailed later that week for their review prior to the meeting.

*Motion by Council member Talbert to add this item to the June 20, 006 Regular Meeting Agenda, seconded by Council member Lambeth and approved unanimously by all Council members present.*

#### **Public Hearings**

##### **6. Annual Budget – Fiscal Year 2006-2007**

##### **No public hearing required for the following budget-related items**

##### **A. Budget Ordinance**

##### **Animal Control**

Council members discussed receiving a report in regards to Animal Control that was provided in Trinity. Manager Bailie advised Council members that she would research the language in the contract and make contact with the appropriate persons to have the report provided.

##### **Parks & Recreation**

There was a brief discussion concerning the \$20,000.00 in revenues budgeted for this department. Manager Bailie advised members that approximately \$2,500.00 of this money represented fees that are projected to be collected for payment in lieu of Open Space Dedication in new developments. The balance of this will be designated from General Fund to begin a Greenway Program in the sewer rights of ways. Even though these are our rights of way, we have not purchased the easement to allow public access to the Greenways. We need to specify which sewer rights of way we would like to use. In the Land Use Plan there is a plan for Greenways. We have not reviewed this plan and do not know if we would want our Greenways to be as extensive as defined in this plan; however, this would start that program.

##### **Powell Bill Funds**

Council members and Manager Bailie discussed the \$165,000.00 shown in the Draft relating to Powell Bill funds. Manager Bailie advised Council members this was the amount of revenue that was being projected to receive for Powell Bill. We are receiving \$165,000 in these funds but will expend more than we actually receive. The amount over the revenues will be taken from the Powell Bill Funds received from prior years. We will be using some of the Powell Bill monies to build our roads to the Pump Stations.

*Motion by Council member Talbert to add Item A- Budget Ordinance to the June 20, 006 Regular Meeting Agenda, seconded by Council member Bridges and approved unanimously by all Council members present.*

##### **B. Amendments to current budget**

Manager Bailie advised Council members these amendments assure that the City will not be over expended in the budget line items. There are no changes to the actual budget except for the Finance Department. Due to the lack of

line items in this department transfers between line items is not an option for this departmental budget. We have increased the budgeted revenues for investments by \$10,000 and adding to the Professional Services and Tax Collections in the Finance Department.

***Motion by Council member Bridges to add Item B Amendments to the Current Budget to the June 20, 2006 Regular Meeting Agenda, seconded by Council member Ewings and approved unanimously by all Council members present.***

**C. Amendments to Local Sewer Capital Project Fund**

Manager Bailie advised Council that this item was to increase the Technical/Engineering Fees in the amount of \$10,000.00 and decreasing Contingencies in the amount of \$10,000.00.

There was a brief discussion among Council members, Manager Bailie, and Ms. Hinson concerning the reason for the increase in this item.

After discussion, ***Motion by Council member Bridges to add Item C Amendments to the Local Sewer Capital Projects Fund to the June 20, 2006 Regular Meeting Agenda, seconded by Council member Talbert and approved unanimously by all Council members present.***

**D. Amendments to CDBG Capital Project Fund**

Manager Bailie advised members that time did not permit her to have the information together for this item; however, she would insert it with their handouts for the Agenda Packet. This amendment is due to the significant increase in costs when actual bids were received

***Motion by Council member Lambeth to add Item D Amendments to the CDBG Capital Project Fund to the June 20, 2006 Regular Meeting Agenda, seconded by Council member Talbert and approved unanimously by all Council members present.***

**E. Amendments to Grant/Bond Capital Project Fund**

Manager Bailie advised members this amended the budget for Phases 2, 3, 4, and 5. After review of the construction costs for the Darr Road Project we have redone the budget and this amendment reflects the increased costs.

Council members discussed the amount of costs increase in the projects. Manager Bailie advised Council members the largest change came in the Revenue Sources defined as Revenue from Other Sources. This line item identifies the city's responsibility for these increased costs. Council members discussed earlier conversations with the City Engineer concerning research for any other funding that may be available to the City for these projects.

***Motion by Council member Talbert to add Item E Amendments to the Grant/Bond Capital Project Fund to the June 20, 2006 Regular Meeting Agenda, seconded by Council member Labonte and approved unanimously by all Council members present.***

**F. Fee Schedule – proposed fees for technical review of commercial & large-scale development projects.**

Mr. Stumb advised Council this item was to increase the Zoning Permit Fees for large developments including commercial, industrial, multi-family, townhouse projects. The increase is to cover the cost for an engineer to review these projects. They will look at the sewer, stormwater and the general layout of the project from an engineering standpoint. This will cover what their charges to review the projects.

There was discussion between Council members and Mr. Stumb concerning how this cost was estimated. Mr. Stumb advised Council that he would provide information at the Regular Meeting concerning other municipality's fees in comparison to the proposed increased fees as well as the possibility of adding a percentage to the costs.

***After further discussion Council member Bridges made a motion to add this item to the June 20, 2006 Regular Meeting Agenda pending information requested by Council for comparison, seconded by Council member Labonte and approved unanimously by all Council members present.***

- 7. Rezoning request #Z06-04, to rezone property located at Welborn and Finch Farm roads, further identified as Randolph County tax parcel numbers 6797412387 and 6797613814. Request is to rezone the property from RA (Residential Agricultural) to HC (Highway Commercial). The property is owned by A.L. Honbarrier.**

Council members and Mr. Stumb discussed the amount of property located on the small strip of property located on the map provided by staff and the possibility for future development of this section of this parcel.

Mr. Stumb discussed the map and stated that this far corner of the property would be limited to development. The dashed area on the map represents a 50 foot buffer shown by the County on the stream on either side. This area could not be developed. Depending on the intensity of development this buffer could increase to a 100 foot buffer. There is a creek located on this property as well that requires a 100 foot buffer. In addition the sewer infrastructure and the right of way for the Interstate will be required. This would mean that some areas may be developed but not the entire area.

***Motion by Council member Bridges to add this item to the June 20, 2006 Regular Meeting Agenda, seconded by Council member Meredith and approved unanimously by all Council members present.***

## **8. Amendments to Schedule of Permitted Uses**

Mr. Stumb reviewed the changes recommended by the Planning and Zoning Board to the Permitted Uses Chart of the Zoning Ordinance as follows:

1. Disallow Family Care Homes in the MF-R Zoning District.
2. Allow Home and Garden Supply Retailer, over 25,000 square feet as a Special Use in HC
3. Allow Hotels and Motels in HC
4. Allow Laboratory, Medical and Dental in O-I and HC
5. Disallow Mini Warehouse, Storage Buildings in MF-R and RM, and allow in HC

At this time Council member Bridges discussed storage buildings in conjunction with apartments across from Terry Labonte Chevrolet and how they blended in and served a useful purpose to those persons renting these apartments for storage.

**After discussion between Council this item was change to reflect to allow storage buildings for multi-family developments as a Special Use and restricted to use by renters or owners within the development.**

6. Allow Retail and Membership Warehouse Establishments, over 25,000 square feet as a Special Use in HC
7. Disallow Shooting Range, Outdoor in RA and R-40

Mr. Stumb advised Council that the Planning/Zoning Board decided to eliminate this from the Ordinance. This does not eliminate anyone shooting on their property and is designed for a Commercial Shooting Range where persons come and pay to shoot.

8. Remove Storage Buildings, Mini Warehouses, this item was repeated.
9. Disallow Tattoo and Body Piercing from CS and add it to M-1

Mayor Andrews discussed telecommunications towers and the locations where this use may be allowed. Mr. Stumb advised members that this must be allowed in some areas but not in all areas. After further discussion concerning a change to the language that would require telecommunication companies to share towers, and the possibility of deleting this use from R-40, Mr. Stumb and Manager Bailie advised Council that they would investigate the regulations concerning these concerns for this use and make the necessary revisions.

***Motion by Council member Bridges to add to the June 20, 2006 Regular Meeting, seconded by Council member Lambeth and approved unanimously by all Council members present.***

## **9. Amendments to Sewer Use Ordinance (no public hearing required)**

- A. Sewer extension connectivity
- B. Rate & fee Schedule (text amendment only)

Manager Bailie advised Council members that both of these amendments were forwarded by the Infrastructure Committee for consideration. The first amendment deals with sewer line connectivity in section 4.14 (a) numbers 1 through 5. This amendment requires that sewer extensions made by private developers be designed and built to further the City's wastewater collection system.

Rate and Fee Schedule: There is no recommendation for an increase in fees. This amendment makes the entire document more readable. The only substantial change is that it reduces the number of gallons required for a resident to get a pool adjustment. It changes the threshold from 15,000 gallons to 5,000 gallons.

The other change is dealing with residents that have not paid their tap fees and are not connected even though they have now met the deadline to do so. We are currently billing these residents the flat rate fee of \$37.50 per month. We feel that it would be fairer to bill them based on their water usage like the other residents. There is no language change that needs to be made to do this.

***Motion by Council member Lambeth to add items A and B to the June 20, 2006 Regular Meeting, seconded by Council member Ewings and approved unanimously by all Council members present.***

## **10. Code of Ordinances**

Manager Bailie advised Council this item was discussed at the Special Meeting and is now a matter of adoption with the changes that were made.

***Motion by Council member Bridges to add to the June 20, 2006 Regular Council Meeting, seconded by Council member Labonte and approved unanimously by all Council members present.***

**Unfinished Business**

**11. Text amendments to Zoning Ordinance concerning the use of nonconforming lots and lots of record.**

*(Tabled from May 16 Council meeting; Public Hearing was held at that time)*

Mr. Stumb advised Council the language had been changed in the information included in the packet. I believe that the board came to a consensus that if one lot of record meets the setbacks and buffering requirements they do not need variance but if they can't meet these requirements then they will need to request a variance from the Board of Adjustments.

Mr. Stumb discussed his findings on the differences in how the City of Trinity would handle lots of records in comparison with surrounding municipalities. Because the Zoning Districts established by the City of Trinity do not match earlier zoning districts established by the County in Trinity the lots of record will not be the same.

The short term solution to our problem is to allow the development of the smaller lots of 20,000 square feet. The long term solution is to correct the zoning map to reflect the zoning districts established by the city. These lots became non-conforming when we incorporated and accepted their zoning.

There was discussion between Council members, Manager Bailie and Mr. Stumb concerning what areas would be affected by these changes and how the changes would apply to these areas.

Manager Bailie and Mr. Stumb advised Council that if a resident owned a single lot of record and could meet the setbacks and the buffering they would be allowed to develop the lot without meeting the 20,000 square foot minimum lot size. However, if multiple lots of record were owned by a single owner on one deed, a recombination of the lots will be required to meet the 20,000 square foot lot size.

***After discussion, Council member Bridges made a motion to add this item to the June 20, 2006 Regular Meeting seconded by Council member Meredith and approved unanimously by all Council members present.***

**New Business**

**12. Final Subdivision Approval – Phase 3 Colonial Village**

Mr. Stumb advised Council this was the final step before this Phase can be recorded at the Register of Deeds. This will begin Phase 3 and includes 20 single family lots along Colorado Blvd. with lot sizes ranging from 10,000 (smallest) to 18,000 square feet. This development meets the dimensional requirements and the developer has paid their fees for this Phase.

***Motion by Council member Bridges to add this item to the June 20, 2006 Regular Meeting, seconded by Council member Labonte and approved unanimously by all Council members present.***

**13. Special Intensity Allocation – Lot 99 Colonial Village**

Mr. Stumb advised Council this was the lot next to the Subway that Council considered earlier. This is a small retail building approximately 18,000 square feet in size. The developer is asking for full 70% allocation that is approximately 39,000 square feet. The Planning/Zoning Board reviewed this request at their May 23, 2006 Meeting and voted unanimously to approve the request for the allocation. This plan has been forwarded to the engineer. They have made their comments back to the developer's engineer. Their plan shows less parking than required. They will have to reconfigure this, therefore the building size may decrease but the parking lot size may increase.

***Motion by Council member Talbert to add this item to the June 20, 2006 Regular Meeting, seconded by Council member Ewings and approved unanimously by all Council members present.***

**14. Annexation Procedures/Fees (tentative)**

This item was removed from the Agenda at Manager Bailie's request.

**15. Appointment to Archdale-Trinity Chamber of Commerce Board of Directors**

Council member Ewings made a motion that Manager Bailie be reappointed to the Chamber's Board of Directors. Manager Bailie suggested this item be added to the Consent Agenda for the Regular Meeting of June 20, 2006. After

a brief discussion, Council member Ewings amended her motion *to add this item to the Consent Agenda of the June 20, 2006 Regular Meeting, seconded by Council member Bridges and approved unanimously by all Council members present.*

**16. Wastewater Projects Update (Randy McNeill, Davis-Martin-Powell & Assoc.)**

*Motion by Council member Bridges to add this item to the June 20, 2006 Regular Meeting, seconded by Council member Lambeth and approved unanimously by all Council members present.*

**Additional Items**

**Audit Contract**

Manager Bailie advised members that the Contract did not arrive in time to include in this packet; however we will mail a copy of this with your Agenda Packet. This contract needs to be approved by Council.

*Motion by Council member Lambeth to add this item to the June 20, 2006 Regular Meeting Agenda, seconded by Council member Bridges and approved unanimously by all Council members present.*

**Amend Deadline for Payment of Discounted Tap Fees (Phase 2)**

Manager Bailie advised Council staff was asking for an extension on the previously set deadlines as follows:

**Undeveloped property owners wishing to pay the discounted tap fee:**

September 01, 2006

**Owners of Developed Property wishing to pay the discounted tap fee:**

July 01, 2007

*Motion by Council member Bridges to add this item to the June 20, 2006 Regular Meeting, seconded by Council member Lambeth and approved unanimously by all Council members present.*

**Deadline for Colonial Heights Contract**

Ms. Hinson discussed with Council the memo included in their packet concerning this item as well as prior conversations with Mr. McNeill, City engineer concerning the amount of time that had lapsed from the extension deadline of this project and the need to set a deadline for completion of this project. Ms. Hinson advised Council it was her recommendation to set the deadline for August 30, 2006. After Ms. Hinson's review and recommendation, there was discussion between Council members and Mr. Larrick, Engineer with Davis, Martin, and Powell Associates. Mr. Larrick advised Council that the contractor was in the process of final installation of the sewer services to all of the homes, working on the yards, and repairing driveways. The contractor needs to finish the grading on the road to the pump station, and install a new 6" water line to this station. There will be no extra cost to install the 6" line. Mr. Larrick advised Council that the contractor was making an assertive effort to finish this project. He discussed the obstacles encountered by the contractor that had caused delays on this project, especially the rock that had been encountered on this project.

After further discussion, *Motion by Council member Ewings to add this item to the June 20, 2006 Regular Meeting, seconded by Council member Labonte and approved unanimously by all Council members present.*

**Consent Agenda**

Manager Bailie reviewed the Draft of the Consent Agenda and explained how this item worked in conjunction with the Regular Agenda. All items placed on the Consent Agenda are considered routine and will be enacted by one (1) motion without discussion.

After discussion, it was the consensus of Council members to begin using a Consent Agenda at the Regular Meeting and that Council set the Consent Agenda. No citizen will be able to request changes to the Consent Agenda.

At this time, Manager Bailie reviewed the items that she proposed to add to the June 20, 2006 Consent Agenda.

**IV. Thoroughfare Overlay**

Manager Bailie advised Council the information provided was a consolidation of all comments received as they were written.

Mayor Andrews and Council discussed how to proceed with this item. After discussion, it was the consensus of Council to have a separate meeting on this item.

*There was further discussion concerning the small amount of Agenda Items for July. After discussion it was the consensus of Council to meet and discuss this item on July 11, 2006 Pre-Agenda meeting.*

**Council member Ewings out at 6:10 due to conflict in scheduling.**

#### **V. Land Development Plan (Miles Talbert)**

Council member Talbert discussed his feelings concerning this plan and stated that he did not like the plan or the final parts of the plan. He advised Council members that he did not like the way the plan was done and did not like having new urbanism sold to the City of Trinity. He said he did not think Trinity should be developed at seven units per acre, that Trinity did not need urban development, and that 1/60<sup>th</sup> of an acre for green space was insufficient. Council member Bridges disagreed with the comments concerning new urbanism discussed by Council member Talbert. It was her feeling that new urbanism had more to do with zoning than with the land use plan. She stated that the plan does not say how we are going to zone the entire City; that is the developer's choice as to what kind of homes he wants to put there. New Urbanism is a choice of a type of development that someone may choose to do. Council member Reddick questioned the propriety of discussing this issue with the Council and not with the Land Development Plan Committee or bringing up these concerns at the joint meeting of the Committee, Council and Planning and Zoning. Council member Labonte discussed an article in the newspaper concerning the costs involved with new urbanism development as well as the need for Trinity to develop their own unique plan for the City.

Manager Bailie stated that the plan is just a vision and does not address zoning. It does not say, nor is it the intent to develop everything at 6 units per acre. . Our Multi – Family zoning allows in excess of 10 units per acre. The intent of the Land Use Plan is not to develop the entire 17 square miles of Trinity with this density. Certain areas would be designated mixed use and this is where the 6 units per acre come into play however, it would be up to an individual developer requesting a rezoning from the City of Trinity to make that happen. Each decision will be an individual request and will come to the Council for final approval.

#### **VI. Business from Mayor and Council**

Mayor Andrews discussed copies that she provided at members places that addressed the responsibilities of Council, Mayor, and staff concerning comments made by Council to the media about other Council members, Mayor, or the City Staff, etc. She advised Council that feedback had been received this week concerning comments that were made to the media in a derogatory manner toward some of the city staff.

Council member Labonte discussed the need for the news media to give the same respect to Council as they expected to receive from Council.

#### **VII. Business from City Manager** **▪ Trinity at the Crossroads**

Manager Bailie discussed a prior meeting with owners of the Sumner Property to discuss annexation. She advised Council they had performed a market study which was presented to us recently. The group would like to move forward with the annexation. I have provided an annexation petition to them. They would like to meet with Council and explain what they would like to do. They do not wish to do this in a formal Council Meeting, but at a Special Meeting or at the July Pre-Agenda, and review the results of the Marketing Study and discuss the project.

*After discussion, it was the consensus of Council to allow this group to come to the July Pre-Agenda.*

#### **Community Meeting**

Manager Bailie discussed an invitation for Council to attend a community meeting that was being put on by developers who would like to develop the property adjacent to Steeplegate. Mr. Stumb included a site plan in the information for your information. This request will be coming to Council in July.

#### **County Wide Water System**

Randolph County is interested in developing a county wide water system. They would negotiate between the persons that sell water with those who need to buy water and the County is willing to put in the lines.

#### **City Haul**

Manager Bailie asked Mr. Stumb to address Council on this matter.

Mr. Stumb advised Council that 130 tons was received during this event and was a significant drop from last year but still up from the first year the City provided this service. The costs were about the same as the first year.

#### **Country Meadows**

The extension consisting of approximately 35 homes and a part of the Phase 1 system is now on line and letters to the residents have been mailed advising them they could connect and connection would be required within 6 months.

#### **Trinity at the Crossroads**

Manager Bailie discussed the concerns of Council members to make sure that the current residents of Trinity will not be priced out once the city does start growing. One of the ways cities address this is through Inclusionary Zoning. This requires the developers to set aside a certain percentage of the housing into price ranges that are reasonable or to whatever the Council may decide is reasonable.

#### **Closed Session to discuss Personnel Matter**

*Prior to adjournment, Council member Meredith made a motion to go into Closed Session to consider a personnel matter, seconded by Council member Lambeth and approved 4 to 2 with Council members Bridges and Reddick voting nay.*

*After returning to Open Session, Mayor Andrews advised those present no action was taken during the Closed Session.*

#### **VII. Adjournment**

With no other business to discuss, *motion to adjourn by Council member Labonte, seconded by Council member Bridges and approved unanimously by all Council members present.*

**These minutes were approved by the Trinity City Council at their Regularly Scheduled Meeting held on July 18, 2006 upon motion by Council member Reddick seconded by Council member Lambeth, and approved unanimously by all Council members present.**